

REMARKS

Claims 1-11, 21, 22, 24-30 and 32-35 are currently pending in this application. Claims 14-20 and 36-49 have been withdrawn. Claims 13 and 31 have been canceled previously. Claims 1-11, 21, 22, 24-30 and 32-35 have been rejected. Claims 1, 21 and 24-25 are amended by this Amendment. No new matter is introduced. Support for the amendment by be found, for example, in paragraphs [0031] and [0035] of the originally filed Specification. In view of foregoing amendments and following remarks, Applicant respectfully requests allowance of the Application.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-3, 5, 7-11, 21-22, 24-30, 32 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,909,669 (hereafter "Havens") in view of U.S. Pat. No. 6,411,936 (hereafter "Sanders"), in view of Might (US 6,766,319), and further in view of Nation (US 2007/0203786). Claims 4, 6, 33 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Havens in view of Sanders, Might, and Nation, and further in view of Nelson (US 7,233,908). Even under KSR, obviousness is not shown unless the collected art teaches all elements of the pending claims. See, *Ex Parte Wollenhaupt*, BPAI, Appeal No. 2007-3142 (Mar 13, 2008). Here, the claims define elements that are not disclosed by any cited reference. Applicant respectfully requests withdrawal of the outstanding rejections because the cited prior art references do not teach or suggest all elements of the pending claims.

Claims 1 and 21 Defines Over The Cited References

Claim 1 recites, in relevant part:

analyzing the E-survey results data to determine what data in the business information warehouse should be analyzed to set goals to meet strategic enterprise management (SEM) plan objectives; ... and responsive to determining an objective not being met, analyzing extracted E-survey results data to determine which of various areas related to questions being surveyed are not meeting expectations.

Claim 21 recite the similar bolded features. None of the cited references discloses the above bolded features. The Havens reference is directed to assessing worker productivity and the Sanders reference is directed to enterprise value enhancement that enables an entire organization to be collectively engaged in the process of contributing to the knowledge generation, knowledge communication and knowledge distribution process. The Office Action alleges Havens and Sanders together teaches determining whether strategic objectives are

being met. However, there is nothing in either Havens or Sanders that teaches or suggests ***"analyzing the E-survey results data to determine what data in the business information warehouse should be analyzed to set goals to meet strategic enterprise management (SEM) plan objectives"*** or ***"analyzing extracted E-survey results data to determine which of various areas related to questions being surveyed are not meeting expectations"*** as claimed.

Might is directed to an information system that concerns gathering user input, evaluate user input and administering the system. See Might, Abstract. Nation is directed to an information system that concerns gathering user input, evaluate user input and administering the system. See Nation, Abstract. Neither Might nor Nation cures the defects of Havens and Sanders. Therefore, Havens, Sanders, Might and Nation, either alone or in combination, do not disclose each and every feature recited in the independent claims 1 and 21, and the rejections should be withdrawn.

The Office Action further cites to Nelson for features recited in dependent claims 4, 6, 33 and 35. As discussed in a previously filed Response, the Nelson reference is directed to evaluating and presenting surveys ratings and reports from customers. Nelson does not cure the deficiencies of Havens, Sanders, Might and Nation. Thus, independent claims 1 and 21 are allowable over all cited references.

Dependent claims 2-11, 22, 24-30 and 32-35 are allowable for at least the same reason as described above for independent claims 1 and 21. Withdrawal of the rejection and reconsideration is respectfully requested.

CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

Date: August 7, 2009

/Robert L. Hails, Jr./

Robert L. Hails, Jr.

Registration No. 39,702

Kenyon & Kenyon LLP
1500 K Street, NW, Suite 700
Washington, DC 20005-1257
Tel.: (202) 220-4200
Fax.: (202) 220-4201